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RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE EXAMINING GROUP 1641

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: BUECHLER et al.

Title: METHOD FOR MONITORING  
THE STATUS OF ASSAY AND  
IMMUNOASSAY

Appl. No.: 09/712,615

Filing Date: November 13, 2000

Examiner: Cook, L.

Art Unit: 1641

**CERTIFICATE OF MAILING**

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Jodie M. Rivas

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(Date of Deposit)

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**AMENDMENT**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action, made final, mailed on February 26, 2002 ("Paper No. 13"), please consider the following remarks.

**REMARKS**

The instant application is related in part to apparatuses and kits that utilize one or more assay controls for monitoring the performance of assays. Such controls provide a measurable signal that is generated in connection with, but that is independent of, a signal obtained from the assay for an analyte of interest, typically through the use of members of a binding pair that do not bind to any analyte(s) targets for detection by the assay device, or to any assay reagents used to